



NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

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NLRB AND OUTBOARD MARINE CORP. REACH A SETTLEMENT WORTH MORE THAN \$3 MILLION IN BACKPAY

National Labor Relations Board General Counsel Fred Feinstein announced today the settlement of litigation arising out of the 1986 strike involving employees of Outboard Marine Corporation located in Calhoun, Georgia. The settlement agreement includes \$3.107 million in backpay, bonuses, and interest to be distributed to over 190 employees who are entitled to compensation under the Board order. The settlement constitutes the largest non-litigated backpay award in the history of the NLRB's Atlanta Regional Office (Region 10).

The litigation arose in 1987, based upon charges filed with the agency by Laborer's International Union of North America Local No. 752. The central charge alleged that Outboard Marine Corp. improperly delayed recalling its striking employees back to work by hiring excess replacement employees. The trial, which lasted more than four weeks, began in September 1987. Administrative Law Judge Lawrence W. Cullen found in favor of the agency in his September 28, 1989 decision. Outboard Marine Corp. appealed the ruling to the Board, which upheld the judge's ruling in July 1992. In its decision, the Board found that the delay in recalling returning strikers, as well as other numerous actions by the company, constituted unfair labor practices in violation of the National Labor Relations Act. The U.S. Court of Appeals for the Seventh Circuit issued its decision enforcing the Board order in October 1993.

In announcing the settlement, General Counsel Feinstein stated:

"Of particular satisfaction is the omnibus nature of the settlement which includes a resolution by the parties of five outstanding discharge grievances, settles other pending Board litigation, and provides for immediate reinstatement and backpay for the grievants. Such cooperation between Outboard Marine Corp. and Laborer's Local 752 signals an end to a contentious relationship. I wish to extend my thanks to

the parties for their cooperation and to the agency personnel for their efforts in bringing this matter to a successful conclusion."

The negotiations leading to the settlement were conducted by Trial Specialist Frank F. Rox Jr., Supervisory Compliance Officer Thomas A. Palmer, Assistant to the Regional Director Joseph V. McMahon, Regional Attorney Kenneth D. Meadows, and Regional Director Martin M. Arlook. The Atlanta Regional Office is currently in the process of finalizing the procedures for distributing the backpay checks. The backpay distribution is expected to be accomplished within two months.

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